

## Introduced by Senator Costa

February 23, 1999

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An act to amend Section 77201.1 of the Government Code, relating to trial court funding.

## LEGISLATIVE COUNSEL'S DIGEST

SB 600, as introduced, Costa. Trial court funding.

Existing law specifies various amounts, and contingent revisions to those amounts, which certain counties are required to remit to the state for purposes of trial court funding beginning on July 1, 1999.

This bill would make a technical, nonsubstantive change in that provision.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 77201.1 of the Government  
2 Code, as amended by Section 1 of Chapter 1017 of the  
3 Statutes of 1998, is amended to read:

4 77201.1. (a) Commencing on July 1, 1997, and each  
5 year thereafter, no county shall be responsible for  
6 funding court operations, as defined in Section 77003 and  
7 Rule 810 of the California Rules of Court as it read on July  
8 1, 1996.

9 (b) Commencing in the 1999–2000 fiscal year, and  
10 each fiscal year thereafter, each county shall remit to the  
11 state in four equal installments due on October 1, January

1 1, April 1, and May 1, the amounts specified in paragraphs  
2 (1) and (2), as follows:

3 (1) Except as otherwise specifically provided in this  
4 section, each county shall remit to the state the amount  
5 listed below which is based on an amount expended by  
6 the respective county for court operations during the  
7 1994–95 fiscal year:

8		
9	Jurisdiction	Amount
10	Alameda .....	\$ 22,509,905
11	Alpine .....	—
12	Amador .....	—
13	Butte .....	—
14	Calaveras .....	—
15	Colusa .....	—
16	Contra Costa .....	11,974,535
17	Del Norte .....	—
18	El Dorado .....	—
19	Fresno .....	11,222,780
20	Glenn .....	—
21	Humboldt .....	—
22	Imperial .....	—
23	Inyo .....	—
24	Kern .....	9,234,511
25	Kings .....	—
26	Lake .....	—
27	Lassen .....	—
28	Los Angeles .....	175,330,647
29	Madera .....	—
30	Marin .....	—
31	Mariposa .....	—
32	Mendocino .....	—
33	Merced .....	—
34	Modoc .....	—
35	Mono .....	—
36	Monterey .....	4,520,911
37	Napa .....	—
38	Nevada .....	—
39	Orange .....	38,846,003
40	Placer .....	—

1	Plumas .....	—
2	Riverside .....	17,857,241
3	Sacramento .....	20,733,264
4	San Benito .....	—
5	San Bernardino .....	20,227,102
6	San Diego .....	43,495,932
7	San Francisco .....	19,295,303
8	San Joaquin .....	6,543,068
9	San Luis Obispo .....	—
10	San Mateo .....	12,181,079
11	Santa Barbara .....	6,764,792
12	Santa Clara .....	28,689,450
13	Santa Cruz .....	—
14	Shasta .....	—
15	Sierra .....	—
16	Siskiyou .....	—
17	Solano .....	6,242,661
18	Sonoma .....	6,162,466
19	Stanislaus .....	3,506,297
20	Sutter .....	—
21	Tehama .....	—
22	Trinity .....	—
23	Tulare .....	—
24	Tuolumne .....	—
25	Ventura .....	9,734,190
26	Yolo .....	—
27	Yuba .....	—

28  
29 (2) Except as otherwise specifically provided in this  
30 section, each county shall also remit to the state the  
31 amount listed below which is based on an amount of fine  
32 and forfeiture revenue remitted to the state pursuant to  
33 Sections 27361 and 76000 of this code, Sections 1463.001,  
34 1463.07, and 1464 of the Penal Code, and Sections 42007,  
35 42007.1, and 42008 of the Vehicle Code during the 1994–95  
36 fiscal year:

37		
38	Jurisdiction	Amount
39	Alameda .....	\$ 9,912,156
40	Alpine .....	58,757

1	Amador .....	265,707
2	Butte .....	1,217,052
3	Calaveras .....	310,331
4	Colusa .....	397,468
5	Contra Costa .....	4,168,194
6	Del Norte .....	553,730
7	El Dorado .....	1,028,349
8	Fresno .....	3,695,633
9	Glenn .....	360,974
10	Humboldt .....	1,025,583
11	Imperial .....	1,144,661
12	Inyo .....	614,920
13	Kern .....	5,530,972
14	Kings .....	982,208
15	Lake .....	375,570
16	Lassen .....	430,163
17	Los Angeles .....	71,002,129
18	Madera .....	1,042,797
19	Marin .....	2,111,712
20	Mariposa .....	135,457
21	Mendocino .....	717,075
22	Merced .....	1,733,156
23	Modoc .....	104,729
24	Mono .....	415,136
25	Monterey .....	3,330,125
26	Napa .....	719,168
27	Nevada .....	1,220,686
28	Orange .....	19,572,810
29	Placer .....	1,243,754
30	Plumas .....	193,772
31	Riverside .....	7,681,744
32	Sacramento .....	5,937,204
33	San Benito .....	302,324
34	San Bernardino .....	8,511,193
35	San Diego .....	16,166,735
36	San Francisco .....	4,046,107
37	San Joaquin .....	3,562,835
38	San Luis Obispo .....	2,036,515
39	San Mateo .....	4,831,497



1	Santa Barbara .....	3,277,610
2	Santa Clara .....	11,597,583
3	Santa Cruz .....	1,902,096
4	Shasta .....	1,044,700
5	Sierra .....	42,533
6	Siskiyou .....	615,581
7	Solano .....	2,708,758
8	Sonoma .....	2,316,999
9	Stanislaus .....	1,855,169
10	Sutter .....	678,681
11	Tehama .....	640,303
12	Trinity .....	137,087
13	Tulare .....	1,840,422
14	Tuolumne .....	361,665
15	Ventura .....	4,575,349
16	Yolo .....	880,798
17	Yuba .....	289,325

18

19 (3) Except as otherwise specifically provided in this  
20 section, county remittances specified in paragraphs (1)  
21 and (2) shall not be increased in subsequent years.

22 (4) Except for those counties with a population of  
23 70,000, or less, on January 1, 1996, the amount a county is  
24 required to remit pursuant to paragraph (1) shall be  
25 adjusted by the amount equal to any adjustment resulting  
26 from the procedures in subdivisions (c) and (d) of  
27 Section 77201 as that section read on June 30, 1998, to the  
28 extent a county filed an appeal with the Controller with  
29 respect to the findings made by the Department of  
30 Finance. This paragraph shall not be construed to  
31 establish a new appeal process beyond what was provided  
32 by Section 77201, as that section read on June 30, 1998.

33 (5) Any change in statute or rule of court that either  
34 reduces the bail schedule or redirects or reduces a  
35 county's portion of fee, fine, and forfeiture revenue to an  
36 amount that is less than (A) the fees, fines, and forfeitures  
37 retained by that county, and (B) the county's portion of  
38 fines and forfeitures transmitted to the state in the  
39 1994–95 fiscal year, shall reduce that county's remittance  
40 specified in paragraph (2) of this subdivision by an equal



1 amount. Nothing in this paragraph is intended to limit  
2 judicial sentencing discretion.

3 (c) Nothing in this section is intended to relieve a  
4 county of the responsibility to provide necessary and  
5 suitable court facilities pursuant to Section 68073.

6 (d) Nothing in this section is intended to relieve a  
7 county of the responsibility for justice-related expenses  
8 not included in Section 77003 which are otherwise  
9 required of the county by law, including, but not limited  
10 to, indigent defense representation and investigation,  
11 and payment of youth authority charges.

12 (e) County base year remittance requirements  
13 specified in paragraph (2) of subdivision (b) incorporate  
14 specific reductions to reflect those instances where the  
15 Department of Finance has determined that a county's  
16 remittance to both the General Fund and the Trial Court  
17 Trust Fund during the 1994-95 fiscal year exceeded the  
18 aggregate amount of state funding from the General  
19 Fund and the Trial Court Trust Fund. The amount of the  
20 reduction was determined by calculating the difference  
21 between the amount the county remitted to the General  
22 Fund and the Trial Court Trust Fund and the aggregate  
23 amount of state support from the General Fund and the  
24 Trial Court Trust Fund allocated to the county's trial  
25 courts. In making its determination of whether a county  
26 is entitled to a reduction pursuant to that paragraph, the  
27 Department of Finance subtracted from county revenues  
28 remitted to the state, all moneys derived from the fee  
29 required by Section 42007.1 of the Vehicle Code and the  
30 parking surcharge required by subdivision (c) of Section  
31 76000.

32 (f) Notwithstanding subdivision (e), the Department  
33 of Finance shall not reduce a county's base-year  
34 remittance requirement, as specified in paragraph (2) of  
35 subdivision (b), if the county's trial court funding  
36 allocation was modified pursuant to the amendments to  
37 the allocation formula set forth in paragraph (4) of  
38 subdivision (d) of Section 77200, as amended by Chapter  
39 2 of the Statutes of 1993, to provide a stable level of



1 funding for small county courts in response to reductions  
2 in the General Fund support for the trial courts.

3 (g) In any fiscal year in which a county of the first class  
4 pays the employer-paid retirement contribution for court  
5 employees, or any other employees of the county who  
6 provide a service to the court, and the amounts of those  
7 payments are charged to the budget of the courts, the  
8 sum the county is required to pay to the state pursuant to  
9 paragraph (1) of subdivision (b) shall be increased by the  
10 actual amount charged to the trial court up to  
11 twenty-three million five hundred twenty-seven  
12 thousand nine hundred forty-nine dollars (\$23,527,949) in  
13 that fiscal year. The county and the trial court shall report  
14 to the Controller and the Department of Finance the  
15 actual amount charged in that fiscal year.

16 (h) This section shall become operative on July 1, 1999.

